

JUDGE GRIESA

2-751162

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKZIM AMERICAN INTEGRATED
SHIPPING SERVICES, INC.,

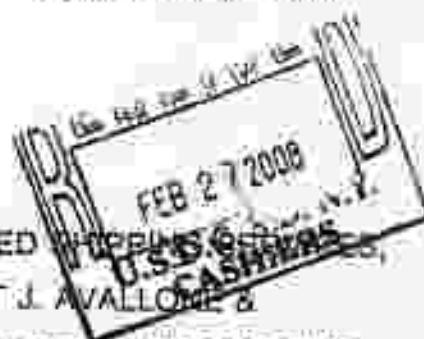
Plaintiff,

- against -

CIVIL COMPLAINT

HARTFORD FIRE INSURANCE
COMPANY,

Defendant.



Plaintiff ZIM AMERICAN INTEGRATED SHIPPING SERVICES, INC., by its attorneys, LAW OFFICES OF ALBERT J. AVALLOME & ASSOCIATES, as and for its Complaint against defendant HARTFORD FIRE INSURANCE COMPANY, in personam, in a cause of action civil and maritime, alleges upon information and belief:

1. This is an admiralty and maritime claim within the meaning of 28 U.S.C. 1352, and the ZIM Bill of Lading.
2. At all times hereinafter mentioned, plaintiff ZIM AMERICAN INTEGRATED SHIPPING SERVICES, INC. ("ZIM") was and still is a corporation duly organized and existing under the laws of the State of New York with offices and a place of business at 5801 Lake Wright Drive, Norfolk, VA 23502.
3. Upon information and belief and at all times hereinafter mentioned, defendant HARTFORD FIRE INSURANCE COMPANY was and still is a corporation organized and existing under the laws of the State of Connecticut, with offices and a place of business at 1 Hartford Plaza, Hartford, CT 08155.
4. On or about July 25, 2007, plaintiff obtained a judgment for \$35,113.75 against D & F HOLDINGS, d/b/a DFHU WORLDWIDE SHIPPING ("D & F") (A copy of the judgment is annexed hereto as Exhibit A.)

5. Defendant is the Issuer of NVOCC Bond No. JGINVOCC799, which bond, inter alia, reimburses for claims against D & F for transportation related activities of the insured transportation intermediary.

6. Plaintiff's judgment is based on unpaid ocean freight due from the insured under Bond No. JGINVOCC799, and is therefore a valid claim against Bond No. JGINVOCC799.

7. Plaintiff has made claim against the bond, but has not been reimbursed.

8. Since the entry of the judgment, plaintiff has received \$11,563.00, reducing plaintiff's claim against the bond to \$23,550.75.

9. Plaintiff has performed all acts required to be performed by plaintiff.

10. Defendant has failed and refused and continues to fail and to refuse to remit payment of \$23,550.75, although duly demanded.

11. By reason of the foregoing, plaintiff has been damaged in the amount of \$23,550.75 which, although duly demanded, has not been paid.

WHEREFORE, plaintiff prays:

1. For judgment in the amount of plaintiff's damages, together with interest thereon, costs, disbursements and a reasonable attorney's fee.

2. That process in due form of law according to the practice of this Court in cases of admiralty and maritime jurisdiction may issue against the defendant citing it to appear and answer all the singular matters aforesaid.

Dated: New York, New York
February 27, 2008

LAW OFFICES OF
ALBERT J. AVALLONE & ASSOCIATES

By


Albert J. Avallone - AA1679
Attorneys for Plaintiff
ZIM AMERICAN INTEGRATED
SHIPPING SERVICES, INC.
551 Fifth Avenue, Suite 1625
New York, NY 10176
(212) 696-1760

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SOUTHERN DISTRICT OF NEW YORK

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DOC #:

DATE FILED: JUL 25 2007

ZIM AMERICAN INTEGRATED
SHIPPING SERVICES, INC.,

Plaintiff,

07 CIV. 3032 (CROTTY), J

DEFAULT JUDGMENT

- against -

D & F HOLDINGS, d/b/a DFHU
WORLDWIDE SHIPPING,

Defendant.

X

This action having been commenced by the filing of a Summons and Complaint, and a copy of the Summons and Complaint having been served on defendant D & F HOLDINGS, d/b/a DFHU WORLDWIDE SHIPPING on May 27, 2007 by personal service on Eugene Franklyn, agent for service, and proof of service having been filed, and the defendant not having answered the Complaint, and the time for answering the Complaint having expired,

Now on motion of the Law Offices of Albert J. Avallone & Associates, attorneys for the plaintiff, it is

ORDERED, ADJUDGED AND DECREED that the plaintiff ZIM AMERICAN INTEGRATED SHIPPING SERVICES, INC. have judgment against defendant D & F HOLDINGS, d/b/a DFHU WORLDWIDE SHIPPING in the liquidated amount of \$33,899.00, with interest at 6% from the respective dates due amounting to \$699.75, plus the costs and disbursements of this action in the amount of \$575.00, amounting in all to \$35,113.75.

Dated: New York, New York

June

2007

Paul Crotty
U.S.D.J.

THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON
EXHIBIT A